



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALPHA CAPITAL ANSTALT,

Plaintiffs,

Index No.: 07 Civ. 9242(AKH)

- against -

ORDER

NESS ENERGY INTERNATIONAL, INC.

Defendant.
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WHEREAS, the Plaintiff sought an Order from the Court directing the Defendant to turn over to the Plaintiff the stock certificates representing the defendant's entire ownership interests of Ness Energy of Israel, Inc. and brought the matter before the Court pursuant to an Order to Show Cause returnable on May 28, 2008. On May 28, 2008 the Court held a hearing at which the Defendant failed to appear. The Plaintiff provided proof of service of the Order to Show Cause on the Defendant in accordance with the terms of the Order;

IT IS HEREBY ORDERED that the defendant, NESS ENERGY INTERNATIONAL, INC. and its officers, directors, agents, employees, attorneys and all those in active concert with it are hereby directed to deliver to the Plaintiff's attorneys Grushko & Mittman, P.C. at 551 Fifth Avenue, Suite 1601, New York New York 10176, within two weeks of receipt of this order, the stock certificates representing the defendant's entire ownership interests of Ness Energy of Israel, Inc.

Dated: New York, New York
May 19, 2008

A handwritten signature, likely of the court clerk, written in ink.

A handwritten signature of the U.S. District Judge, written in ink.

U.S.D.J.